2006-Nov-21 05:05 PM 3m 6517339204

# BEST AVAILABLE COPY

			RECEIVED  CENTRAL FAX CENTER	
FACSIMILE TRANSMITTAL FORM	Application Number	09/970474		
	Confirmation Number	1153	NOV 2 1 2006	
	Filing Date	October 3, 2	, 2001	
	First Named Inventor	Geaghan, Bernard O.		
	Examiner Name	Peng Ke		
Fax: 571-273-8300	Attorney Docket Number	57120US002	2	
Total Number of Pages in This	s Submission: 3	· 		
Date: November 21, 2006	Attorney for Applicant: Robert J. Pechman/skwj			

ENCLOSURES (check all that apply)					
☐ Fee Transmittal Form ☐ Issue Fee Transmittal ☐ Amendment Transmittal	☐ Petition		Appeal Communication to Board of Appeals and Interferences		
Amendment/Reply After Final Affidavits/Declaration(s)	Petition to Convert a Provisional Application	⊠	Appeal Communication to Technology Center (Appeal Notice, Brief, Reply Brief)		
☐ Extension of Time Request	☐ Power of Attorney, Revocation		Proprietary Information		
Express Abandonment Request	☐ Change of Correspondence Address		Status Letter		
☐ Information Disclosure Statement	☐ Terminal Disclaimer		Other Endosures:		
Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR § 1.52 or 1.53 Response to Missing Parts under 35 USC 371 in US Designated/ Elected Office (DO/EO/US)	Request for Refund	,			
	Request for Continued Examination (RCE) Transmittal		·		
☐ Drawings	After Allowance Communication to Technology Center				
REMARKS:					

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION MAY CONTAIN CONFIDENTIAL OR LEGALLY PRIVILEGED INFORMATION INTENDED ONLY FOR THE PERSON OR ENTITY NAMED BELOW.

If you are not the intended recipient, please do not read, use, disclose, distribute or copy this transmission. If this transmission was received in error, please immediately notify me by telephone directly at651-737-0631 or 651-733-1500, and we will arrange for its return at no cost to you.

## BEST AVAILABLE CO

### RECEIVED CENTRAL FAX CENTER

NOV 2 1 2006

Patent

Case No.: 57120US002

32692 Customer Number

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:

GEAGHAN, BERNARD O.

Application No.:

09/970474

Confirmation No.:

1153

Filed:

October 3, 2001

Group Art Unit

2174

Title:

TOUCH PANEL SYSTEM AND METHOD FOR DISTINGUISHING MULTIPLE

TOUCH INPUTS

#### NOTICE OF APPEAL PURSUANT TO 37 CFR § 41.31(a)

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION  37 CFR § 1.8(a)
hereby certify that this correspondence is being:
deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
☑ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at \$71-273-8300.
Nour al 2006 Shannon M. Bruce

Dear Sir:

An appeal is made to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

Please charge the fee provided in 37 CFR § 41.20(b)(1) to Deposit Account No. 13-3723. One copy of this sheet marked duplicate is also enclosed.

Any fee required under 37 CFR § 41.20(b)(1) will be paid at the time of EFS-Web submission.

If necessary, charge any additional fee, or credit any overpayment to Deposit Account No. 13-3723.

Respectfully submitted,

Robert J. Pechman, Reg. No.: 45,002

Telephone No.: 651-737-0631

Office of Intellectual Property Counsel 3M Innovative Properties Company Facsimile No.: 651-736-3833